

**United States District Court  
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

**Name of Offender:** Erin Eckert

**Original Case Number:**

**District of New Mexico:** 2:04CR01962-001

**District of Massachusetts:** 05-10207

**Name of Sentencing Judicial Officer:** Honorable Nancy Gertner  
U.S. District Judge

**Date of Original Sentence:** 6/6/05

**Original Offense:** Possession With Intent to Distribute 50 Kilograms and More of Marijuana, 21 USC §841(b)(1)(C); Conspiracy, 21 USC §846.

**Original Sentence:** 3 Years Probation

**Type of Supervision:** Probation

**Date Supervision Commenced:** 6/6/05

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years  
☒ To modify the conditions of supervision as follows:

To add the following Special Conditions of Supervised Release:

1. The defendant shall reside at the Coolidge House Community Confinement Center (Coolidge House), in Boston, MA for three months;
2. While in residence at the Coolidge House, the defendant shall secure and maintain employment;
3. While in residence at the Coolidge House, the defendant shall comply fully with all rules and regulations of that program.

**CAUSE**

As noted in the 1/9/06, Report on an Offender Under Supervision filed with your honor, Ms. Eckert is the subject of an ongoing investigation by the Medford Police Department for making threats. While the Probation Office recommended that no action be taken by the Court with regard to this matter, additional matters of concern have surfaced which, when taken collectively with the matter noted on 1/9/06, appear indicative of Ms. Eckert needing additional structure to avert further decompensation. Those additional matters are as follows:

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On 1/13/06, Ms. Eckert provided a random urinalysis sample which tested positive for Morphine. Initially, Ms. Eckert denied that she had used illegal drugs and sought to attribute the positive result to prescription pain medication. However, after some further discussion on the matter, Ms. Eckert admitted to single use of heroin which she purchased on the street by contacting a drug dealer with whom she had done business in the past. It is noted that this result is the third positive test for Morphine Ms. Eckert has provided in the past calendar year. The two prior positive results, followed by admissions to oxycontin and heroin use, were responded to by referring Ms. Eckert into residential substance abuse treatment at the Emerson House in Falmouth, MA. Ms. Eckert successfully completed that program on 9/20/05. The above referenced 1/13/06 result was the first positive drug test Ms. Eckert has provided since her completion of the Emerson House program.

As part of Ms. Eckert's original sentence imposed in the District of New Mexico, she was required to complete a period of 6 months home confinement with electronic monitoring. On 6/24/05, Ms. Eckert began the electronic monitoring program but was removed from the program on 7/6/05 following a substance abuse relapse and admission to the Emerson House. Upon completion of residential treatment, Ms. Eckert was re-enrolled in the electronic monitoring program on 9/3/05 and remains in that program to date. Over the course of the past few weeks, Ms. Eckert has been increasingly noncompliant with the electronic monitoring program in terms of returning home late and/or leaving early. The most serious of Ms. Eckert's electronic monitoring noncompliance is as follows:

On 1/20/06, Ms. Eckert left home in order to attend a pre-approved AA/NA meeting. Rather than attending that meeting, Ms. Eckert chose to accompany a friend to go shopping at a Target Department Store. This action constitutes a violation of the electronic monitoring program.

While shopping at Target on 1/20/06, Target video surveillance reportedly reveals Ms. Eckert and her friend shopping together throughout the store and placing various items into a shared carriage. Ms. Eckert left the store prior to paying for her items reportedly due to her having forgotten her credit card in her friend's car. While Ms. Eckert was outside of the store, her friend was arrested for shoplifting. While no charges have yet been filed against Ms. Eckert, the Everett Police Department report of the incident notes that "a complaint will be sought against Ms. Eckert as a joint venture for Larceny Over \$250." The Probation Office will keep the Court apprised of any further developments with regard to this matter.

According to Everett Police Department, Ms Eckert was contacted and notified of the pending charge noted above. Additionally, Ms. Eckert was questioned with regard to her involvement in this matter. Ms. Eckert failed to notify the Probation Office of this law enforcement contact as required by the conditions of her Probation.

Ms. Eckert has made strides in her recovery, is positively engaged in individual and group substance abuse counseling, and is working to develop a sober support network. In spite to these positive achievements and pursuits, Ms. Eckert continues to make poor decisions, similar in nature to choices that lead to her conviction and placement on Probation. Moreover, she has problems with honesty. As previously noted, it is felt that more structure is needed to minimize any risk of further decompensation. It is recommended that this structure be provided through placement at the Coolidge House for a period of three months. In addition, Ms. Eckert's involvement in substance abuse treatment has been increased to require that she attend Intensive

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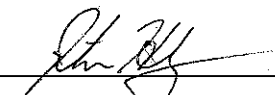
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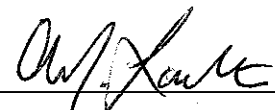
Outpatient Substance Abuse counseling 3 times per week, while continuing with weekly individual counseling and AA/NA attendance. While at Coolidge House, Ms. Eckert will also be required to secure employment, and assistance will be provided to her to open a bank account, begin to save some money and secure post-Coolidge House placement in a stable, sober, supportive setting.

It is respectfully requested that once Ms. Eckert's placement at Coolidge House is secured, that placement be served in lieu of any time remaining left to serve on electronic monitoring. It is noted that Ms. Eckert has completed approximately 5 ½ months of a 6 month electronic monitoring condition.

Reviewed and approved by:

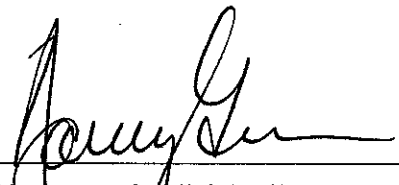
Respectfully submitted,

  
Jonathan Hurtig,  
Supervising U.S. Probation Officer

By   
Andrew J. Laudate  
Sr. U.S. Probation Officer  
Date: 2/1/06

**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
Signature of Judicial Officer

2/2/06  
Date

PROB 49

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT**  
**for the**  
**District of Massachusetts**

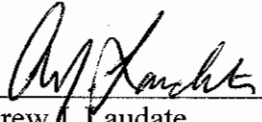
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

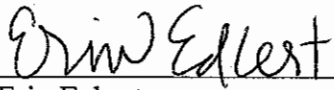
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

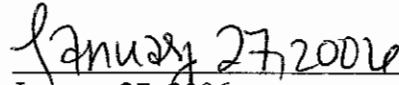
To add the following special conditions of supervised release:

1. The defendant shall reside at the Coolidge House Community Confinement Center (Coolidge House), in Boston, MA for three (3) months,;
2. While in residence at the Coolidge House, the defendant shall secure and maintain employment;
3. While in residence at the Coolidge House, the defendant shall comply fully with all rules and regulations of that program.

Witness:

  
Andrew J. Laudate  
Sr. U.S. Probation Officer

Signed:   
Erin Eckert  
Defendant

Date:   
January 27, 2006